

NOV 08 2005

## WOOD, HERRON &amp; EVANS, L.L.P.

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1823-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

November 8, 2005

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## FACSIMILE COVER SHEET

To: Examiner Vanel Frenel  
Art Unit 3626  
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 571-273-8300

## Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Transmittal containing Certificate of Facsimile  
Transmission (2 pages)  
Amendment After Final (9 pages)

From: Scott A. Stinebruner  
Reg. No. 38,323

Re: U.S. Patent Application  
Serial No. 09/553,010 - Appeal No.  
2005-2126  
Filed: April 20, 2000  
Applicant: Cary Lee Bates et al.  
Art Unit: 3626  
Confirmation No.: 4269  
Our Ref: IBM/138

Pages: 12 (including cover sheet)

MESSAGE/COMMENTS  
OFFICIAL

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (12 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Vanel Frenel, Art Unit 3626, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 571-273-8300 on November 8, 2005.

*Judith L. Volk*  
Judith L. Volk

*November 8, 2005*  
Date

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PATENT  
Att'y Docket No. IBM/138/124  
Confirmation No. 4269

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk  
Judith L. Volk

November 8, 2005  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cary Lee Bates et al. Art Unit: 3626  
Serial No.: 09/553,010 - Examiner: Vanel Frenel  
Appeal No.: 2005-2126  
Filed : April 20, 2000  
For : LOCATION-BASED VEHICLE RISK ASSESSMENT SYSTEM

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is an Amendment After Final.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Enclosed is a verified statement to establish Small Entity status  
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	18	minus	30	0	\$50	\$0.00
Independent Claims	4	minus	5	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

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Serial No. 09/553,010 - Appeal No. 2005-2126  
Transmittal for Amendment After Final of November 8, 2005  
IBM Docket: RO999-233  
WH&E IBM/138

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4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.
5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

\$

Method of Payment:

Check enclosed in the amount of \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.


(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.
- OR**
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON &amp; EVANS, L.L.P.

By:

  
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PATENT

IBM/138  
Confirmation No. 4269**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Cary Lee Bates et al. Art Unit: 3626  
Serial No.: 09/553,010 Examiner: Vanel Frenel  
Appeal No.: 2005-2126  
Filed: April 20, 2000 Atty. Docket No.: IBM/138  
For: LOCATION-BASED VEHICLE RISK ASSESSMENT SYSTEM

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**AMENDMENT AFTER FINAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Decision on Appeal dated October 28, 2005, please amend the  
above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on  
page 2 of this paper.

**Remarks** begin on page 8 of this paper.

Page 1 of 9  
Serial No. 09/553,010 - Appeal No. 2005-2126  
Amendment After Final dated November 8, 2005  
Reply to Decision on Appeal of October 28, 2005  
IBM Docket RO999-233  
WH&E IBM/138  
K:\bm\138\Amendment After Final re 10-28-05 Decision.wpd